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PREM 19/644

9.47

TOP SECRET - CODEWORD.

M.T.

PART 2.

CABINET TWO FILE.

Confidential filing.

The handling of the Falkland invasion.

ARGENTINA.

Part 1: April 1982

Part 2: April 1982.

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
<del>18-4-82</del>							
19-4-82							
<del>21-4-82</del>							
22-4-82.							
- ends -							
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**Cabinet / Cabinet Committee Documents**

Reference	Date
OD (SA) (82) 11 and 12	14.4.82
ODO (SA) (82) 17 and 18	14.4.82
ODO (SA) (82) 19, 20, 21 and 22	15.4.82
OD (SA) (82) 7 <sup>th</sup> Meeting, Minutes	15.4.82
OD (82) 24 and 25	15.4.82
JIC (82) (N) 33 and 34	15.4.82
ODO (SA) (82) 23, 24 and 25	16.4.82
OD (82) 26, 27 and 28	16.4.82
OD (SA) (82) 13 and 14	16.4.82
OD (SA) (82) 8 <sup>th</sup> Meeting, Minutes	16.4.82
OD (SA) (82) 15	19.4.82
ODO (SA) (82) 20	19.4.82
OD (SA) (82) 9 <sup>th</sup> and 10 <sup>th</sup> Meeting, Minutes	19.4.82
OD (SA) (82) 16, 17, 18 and 19	20.4.82
ODO (SA) (82) 26	20.4.82
CC (82) 18 <sup>th</sup> Conclusions	20.4.82
OD (SA) (82) 11 <sup>th</sup> and 12 <sup>th</sup> Meeting, Minutes	20.4.82
2 <sup>nd</sup> Ref: ODO (SA) (82) 20	21.4.82
OD (SA) (82) 13 <sup>th</sup> Meeting, Minutes	21.4.82
OD (SA) (82) 22	22.4.82
OD (SA) (82) 14 <sup>th</sup> Meeting, Minutes	22.4.82
ODO (SA) (82) 27 and 28	22.4.82

The documents listed above, which were enclosed on this file, have been removed and destroyed. Such documents are the responsibility of the Cabinet Office. When released they are available in the appropriate CAB (CABINET OFFICE) CLASSES

Signed                     *P Wayland*                    

Date                     *3 May 2012*                    

**PREM Records Team**



Extra Copy for Cm. Uncle  
as requested by phone.

Argentina

K131

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ZZ WASHINGTON

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SECRET

FM FCO 221445Z APR 82

TO FLASH WASHINGTON

TELEGRAM NUMBER 796 OF 22 APRIL.

ASCENSION ISLAND : VULCAN BOMBERS

1. AS THE PRIVATE SECRETARY WAS AWARE BEFORE LEAVING LONDON, A POSSIBLE PROBLEM HAS ARISEN OVER THE PROPOSED VULCAN DEPLOYMENT TO ASCENSION ISLAND. FOLLOWING IS PART OF A SIGNAL RECEIVED BY THE MOD YESTERDAY FROM THE COMMANDER OF THE BRITISH FORCES SUPPORT UNIT THERE:

BEGINS:

ON HIS OWN INITIATIVE USAF BASE COMMANDER ASKED IF THERE WERE PLANS TO DEPLOY VULCAN AIRCRAFT TO ASCENSION. HE EXPRESSED CONCERN ABOUT THE POSSIBILITY AND STATED HIS UNDERSTANDING THAT OPERATING VULCANS AT WIDEAWAKE WAS OUTSIDE THE US/UK AGREEMENT, WHICH COVERS THE PROVISION OF LOGISTIC SUPPORT ONLY, AND HE WOULD HAVE TO SEEK GUIDANCE FROM HIGHER AUTHORITY.  
ENDS.

2. THIS DOES NOT CONFORM WITH OUR UNDERSTANDING OF THE 1962 UK/US EXCHANGE OF NOTES WHICH PROVIDES FOR THE USE GENERALLY OF WIDEAWAKE AIRFIELD BY THE ROYAL AIR FORCE. THIS AGREEMENT ESTABLISHES A CLEAR RIGHT FOR THE UK TO LAND MILITARY AIRCRAFT AT WIDEAWAKE, SUBJECT ONLY TO THE REQUIRED NUMBER OF HOURS OF ADVANCE NOTIFICATION. WE THEREFORE DO NOT (NOT) AGREE THAT THE PROPOSED VULCAN DEPLOYMENT FALLS OUTSIDE THE TERMS OF THE UK/US EXCHANGE OF NOTES.

/3.

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3. IT IS ALSO THE CASE THAT THE AGREEMENT PERMITS HMG TO QUOTE ESTABLISH, MAINTAIN AND USE UNQUOTE WHATEVER ADDITIONAL LOGISTIC, ADMINISTRATIVE OR OPERATING FACILITIES AT THE AIRFIELD ARE CONSIDERED TO BE NECESSARY QUOTE IN CONNECTION WITH ITS USE BY UK MILITARY AIRCRAFT UNQUOTE, SUBJECT ONLY TO AGREEING THE RELEVANT ADMINISTRATIVE ARRANGEMENTS. THUS AGAIN WE HAVE A RIGHT TO SET UP OR TO USE ADDITIONAL FACILITIES IF WE NEED TO. BUT IT MAY BE PREFERABLE NOT TO OPEN UP THIS QUESTION WITH THE AMERICANS, PARTICULARLY AS THE US BASE COMMANDER SEEMS ONLY TO WANT TO SEEK GUIDANCE FROM WASHINGTON.

4. WE DO NOT (NOT) OF COURSE DISPUTE HIS RIGHT TO DO SO. BUT WE SHOULD BE GRATEFUL IF, IN THE CIRCUMSTANCES, THE SECRETARY OF STATE WOULD AUTHORISE HM EMBASSY OR A MEMBER OF HIS PARTY TO APPROACH THE STATE DEPARTMENT AT A SUITABLE LEVEL AND TO SEEK CONFIRMATION URGENTLY THAT THERE WOULD BE NO DIFFICULTY IN PRINCIPLE OVER DEPLOYING TWO VULCAN AIRCRAFT TO ASCENSION. IT WOULD BE AS WELL IF THE US AUTHORITIES COULD MAKE IT CLEAR TO THEIR BASE COMMANDER THAT THIS IS THE CASE SINCE WE INTEND THE PROPOSED DEPLOYMENT TO TAKE PLACE QUITE SOON, ASSUMING MINISTERS SO DECIDE.

PYM

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P S

MR WRIGHT

MR GILLMORE



The National Archives

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SUBJECT

NOTE OF A MEETING:

THE FALKLAND ISLANDS: OPERATIONAL ORDERS FOR SSNs

The Prime Minister held a meeting at Chequers on 10 April. The Foreign and Commonwealth Secretary, the Secretary of State for Defence and the Chief of Defence Staff were present.

Following general discussion over lunch, the meeting considered operational orders for SSNs, on the basis of the option set out in a note prepared by the CDS - *attached.*

Ministers agreed that the instructions in force at the time of the meeting should be altered to the option explained by the CDS. On this basis, the previous instructions would automatically be re-instated at 1600 hours on 11 April unless Ministers gave new orders before that time. A further meeting would be called at approximately 1400 hours on 11 April if developments made this necessary.

*MAD*

22 April 1982



FALKLAND ISLANDS: OPERATIONAL ORDERS FOR SSNs

1. Under her present orders the first SSN in the Falkland Islands Exclusion Zone has orders to sink an Argentine ship as soon as the Zone comes into force at 0400 hours on 12 April.
2. The Foreign and Commonwealth Secretary considers that there may be diplomatic developments as a result of Mr Haig's activities which make it desirable to be able to stop the SSN executing these operational orders up to the last possible moment. At present this last possible moment is 10 p.m. on Saturday 10 April.
3. This position can be altered by sending a signal to the SSN to cancel its previous instructions and to say that Rule 2 will be in operation from 0400 hours on 12 April (Rule 2 simply provides for self defence). Thereafter Ministers can decide to revert to the previous instructions at any time and be confident that such instructions will be received by the SSN within 12 hours. If Ministers delay reverting to the previous instructions beyond 1600 hours on Sunday 11 April there is a possibility that the SSN will not receive and therefore act on the previous instructions until some time after 0400 on 12 April. This is the only positive penalty of this procedure. But there could be other operational implications: the reason for the present earlier deadline is to guard against the risk of communication breakdown and to give the SSN Commander more time to plan his operations.





Prime Minister

Contract, subject to  
the needs of colleagues in  
OD(SA)?

27

1/4/82  
22.14

Yes mb

MO 5/21

PRIME MINISTER

MARITIME RULES OF ENGAGEMENT

Our Ambassador in Brazil has taken up with the Brazilian Chief of Naval Staff the question of possible deployment of Brazilian submarines outside Brazilian territorial waters where they might come into contact with units of the Naval Task Force. Admiral Aratanha has now assured our Ambassador that all Brazilian submarines will be held within 200 miles of the Brazilian coast. There is no likelihood of encountering conventional submarines from any other Navy in the area.

in folder

2. On Monday we considered (OD(SA) 10th Meeting) Rules of Engagement applicable on the high seas between 10° and 35° South (and West of 20° West.) These Rules authorised attack on any ship, submarine or aircraft demonstrating hostile intent by coming within 25 miles of a British ship or submarine. However, OD(SA) withheld approval of a Rule authorising our forces to presume that any conventional submarine encountered would be Argentinian. In light of the Brazilian undertaking I believe we can now safely promulgate this Rule. May I have your agreement to this. Yes mb

3. I am copying this minute to the members of OD(SA), and to Sir Robert Armstrong, Sir Michael Palliser and Sir Ian Sinclair.

EW

PRESENTATION TO OD(SA) ON 22ND APRIL 1982

1. Resume of present position.
2. Outline Timing of Main Events.
3. Military Options.
  - a. Full enforcement of MEZ.
  - b. Use of land-based aircraft.
  - c. Use of Special Forces (SAS, SBS).
  - d. SSN operations outside the MEZ.
  - e. Likely Argentine Defence Plan of Falkland Islands.
  - f. Landing options in the Falkland Islands.
  - g. Operations against Mainland targets.
  - h. South Sandwich Islands.
4. Summary.
5. Decisions required (Attached).



ATTACHMENTDECISIONS REQUIRED

22 April Amphibious Group is assembled at Ascension Island and will be ready to sail tomorrow 23 April. Decision required to confirm sailing.

22 April Special Forces (SAS) with long range Hercules ready in UK. Decision needed if insertion into Falkland Islands to be effected on 25 April.

*Passage deleted and retained under Section 3(u).  
AWayland, 3 May 2012*

22 April Vulcan bombers ready to deploy to Ascension to be in position for tasking in the South Atlantic from 26/27 April. Decision needed on initial deployment to Ascension, and decision needed for public announcement of Exclusion Zone at least 24 hours before tasking.

26 April Photo-reconnaissance Canberras sold to Chile but flown by the RAF should be ready, subject to Chilean clearance, to fly missions over the Falkland Islands from 27 April. Decision needed to approve such missions.

27 April Rules of Engagement for implementation of air and maritime Exclusion Zone by Carrier Battle Group needs to be decided if Zone is to be established on 29 April. Decision needed for public announcement at least 48 hours before Zone is established.

27 April Special Forces (SAS and SBS) with Task Force ready for deployment for intelligence gathering and offensive operations on Falkland Islands. Decision required if earliest insertion date 29 April is to be met.



SECRET

MR. WHITMORE

Military Briefing on the Falkland Islands

You asked me this morning who should attend the military briefing on the Falkland Islands which is to be given at 10.30 am on Sunday 25th April. The list below contains members of OD(SA), the regular attenders, the Secretariat, and additional participants who will be needed. I have spoken to David Omand about the military participants. He has given me the details below. There is just a possibility, however, that the Ministry of Defence may wish to increase the numbers, but this is unlikely to involve the addition of more than one or two.

2. The full list would be as follows:-

OD(SA) Members: Prime Minister, Home Secretary, Foreign and Commonwealth Secretary, Secretary of State for Defence, Chancellor of the Duchy and Paymaster General.

OD(SA) Attenders: Chief of the Defence Staff, Sir Antony Acland, Sir Michael Palliser.

OD(SA) Secretariat: Sir Robert Armstrong, Mr. Wade-Gery, Mr. Facer  
Brigadier Eyre.

The three single service Chiefs of Staff, the Commander-in-Chief Fleet Admiral Fieldhouse, Sir Frank Cooper, Mr. Patrick Wright (Chairman of the Joint Intelligence Committee) and two serving officers to participate in the briefing. (The Ministry of Defence have yet to decide which two officers will attend.)

This would mean a total of 20. There will in addition be yourself and Mr. Coles.

3. The Foreign and Commonwealth Secretary may also wish Mr. Bullard (who is accompanying him to Washington) and the FCO Legal Adviser, Sir Ian Sinclair, to be available to advise as necessary if the military briefing should be followed by a discussion of diplomatic options. They would not be needed for the military briefing but they would bring the total number at Chequers to 24.

D. J. WRIGHT

22nd April 1982

SECRET



Ref. A08185

MR COLES ✓

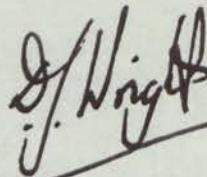
A-J.C. 21/4

Briefing on the Situation in the South Atlantic

Arrangements have now been made for the Ministry of Defence to give OD(SA) a military briefing in Conference Room F, Cabinet Office (the Cabinet Office Briefing Room) at 9.00 am tomorrow, Thursday 22 April. The briefing is expected to last about 45 minutes, including time for questions.

2. You might find it helpful to have the following list of who it is proposed should be at the briefing. The members of OD(SA), its Secretariat and its regular attenders (the Chief of the Defence Staff, Sir Antony Acland and Sir Michael Palliser) will all attend. The three single service Chiefs of Staff, Sir Frank Cooper, Mr Julian Bullard (who will be accompanying the Foreign and Commonwealth Secretary to Washington) and Mr Patrick Wright (Chairman of the Joint Intelligence Committee) will also be present. The briefing will be given by Lieutenant General Glover, Rear Admiral Brown, Rear Admiral Whetstone, Major General Hardy, Major General Boorman, Air Vice Marshall Hayr and Commander Carr. The technical facilities for the briefing will be operated by Commander Roberts (MOD) and Mr Alexander (Cabinet Office).

3. I should be glad to know that these arrangements are acceptable.



D J WRIGHT

21 April 1982

Ref: B06473

PRIME MINISTER

c Sir Robert Armstrong

Falklands: Military Briefing for OD(SA)

Tomorrow's meeting at 0900 in the Cabinet Office Briefing Room will be attended by the normal OD(SA) complement plus a team from the Ministry of Defence (the three Service Chiefs of Staff, six briefers, General Glover from the Intelligence side and Sir Frank Cooper). It will not formally be a meeting of the Sub-Committee as such. But you can readily decide to turn it into one, if decisions are sought by the Defence Secretary in the light of the briefing (as may happen, see below). If so, it might be best at that point to adjourn to the Cabinet Room, partly so as to be conveniently placed for the subsequent meeting of the Cabinet and partly so as to shed tactfully the team of MOD extras. In that case the Chief of the Defence Staff would of course adjourn with you, as a regular OD(SA) invitee; but not the three Service Chiefs.

2. The military briefing will cover the following main possibilities for the future.

a. Full enforcement of the Exclusion Zone round the Falkland Islands, against aircraft as well as ships and against commercial as well as military traffic. Possible from 29th April.  
How effective? How sustainable?

b. Use of shore-based aircraft, eg

- Vulcans from Ascension against Stanley airfield;
- Victors from Ascension for reconnaissance;
- Nimrods from Ascension, for reconnaissance, if in-flight refuelling can be arranged;

*Passage deleted and retained under Section 3(x).  
 @Wayland, 3 May 2012*

c. Use of Special Forces, ie SAS and their naval counterparts. Parties could be landed on the Falklands, either by helicopter from the Task Force (when in range) or by parachute from an



aircraft from Ascension. They could gather intelligence and/or take harassing action of various kinds.

d. Submarine operations outside the MEZ, ie against the Argentine fleet.

e. Landing options in the Falklands. State of the opposition. Optimum date. Outside range of dates.

3. Carrier-based action against Stanley airfield is also likely to be included.

4. After the presentation and questions, the Defence Secretary may outline a timetable for decision-taking and may also seek immediate decisions from the Sub-Committee on four issues.

i. Should the Amphibious Group sail from Ascension on 23rd April, in order to be off the Falklands by 7th May? Or should it wait until 29th April for the arrival of the stragglers (Intrepid, the parachute battalion and the reinforcement Harriers) and thus not arrive off the Falklands until mid-May?

ii. Should Special Forces be para-dropped from Ascension? This would be possible from 25th April.

*Passage deleted and retained under  
Section 3(4).*

*AWayland  
3 May 2012*

iv. Should Vulcans ~~be~~ sent to Ascension over the weekend, so that they would be available there if a decision were taken early next week to use them against Stanley airfield (which would then be possible on 27th April)?



5. Of these decisions only i. is really urgent. Leaving the others until next Monday (26th April) would have only a marginal effect on the operations involved. The Sub-Committee may well not wish to be rushed on such sensitive issues, which will only just have been exposed to them. Major decisions should no doubt be avoided in the absence of the Foreign and Commonwealth Secretary, who returns on Saturday (24th April).

6. On decision i. the consensus below Ministerial level is that the Amphibious Group should sail from Ascension as soon as possible, ie on 23rd April. This will increase military options. Unless they were slowed down (which would be possible at any stage) they would be available for a landing on the Falklands from 7th May, if by then it is clear that the operation can be safely undertaken without the reinforcements (parachute battalion etc) which would not arrive until mid-May. Sailing on 23rd April would also avoid the public relations problem of explaining why they are hanging about, and the danger that we might be asked for diplomatic reasons not to sail them at all. The only disadvantage is that, if they did in the event have to wait at sea in the Falkland area until a landing was made in mid-May after the reinforcements had arrived, they would be a week less fresh than if they had waited.

7. Finally, the Sub-Committee should decide on its next meeting, after the Foreign and Commonwealth Secretary's return. Monday morning, (26th April) might be kinder to him than Sunday, unless the course of events in the meantime makes a weekend meeting (perhaps at Chequers) essential.

*RLW*

21st April 1982

R L WADE-GERY





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Ref. A08181

PRIME MINISTER

Cabinet: Falkland Islands

BACKGROUND

As agreed at OD(SA) today, the Secretary of State for Defence will give the Cabinet a short informal briefing on certain military factors relevant to decisions which the Cabinet may have to take during the Falkland Islands crisis. He intends to keep his briefing to a low level of security classification and not to go into details of force deployments. Since this will not be a technical military briefing, Mr Nott does not propose that he should be accompanied by the Chief of the Defence Staff. It is proposed that this briefing should be first business, ahead of Parliamentary Affairs.

HANDLING

2. You should invite the Secretary of State for Defence to give his briefing. No doubt you will wish to invite questions.
3. It may be convenient to follow with a brief discussion of the situation in the South Atlantic generally, rather than take this separately under the heading of Parliamentary or Foreign Affairs.
4. Immediately before Cabinet, OD(SA) will have been given a detailed briefing on military options and this may have led on to a decision by OD(SA) that the Amphibious Force should sail from Ascension on 23 April rather than wait there until the stragglers (Intrepid, etc) arrive on 29 April. If so you may wish to inform the Cabinet of this decision.
5. If the briefing and discussion are prolonged, some of the business scheduled for E may have to slip; but it is clearly important not to cut discussion on this subject very short, given the need to carry Cabinet as a whole with the policy.

REA

ROBERT ARMSTRONG

21 April 1982

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20 April 1982

CABINET

DEFENCE AND OVERSEA POLICY COMMITTEE

SUB-COMMITTEE ON THE SOUTH ATLANTIC AND  
THE FALKLAND ISLANDS

MR HAIG'S NEGOTIATIONS IN BUENOS AIRES  
COMMENTARY ON THE DRAFT AGREEMENT

Note by the Secretaries

1. At the Sub-Committee's meeting on 19 April (OD(SA)(82) 10th Meeting, Conclusion 4) the Foreign and Commonwealth Secretary was invited to prepare
  - (a) a commentary on Mr Haig's proposals which could be sent to him in Washington;
  - (b) a commentary which might be used if the proposals were published.
2. Attached is a note prepared by Foreign and Commonwealth Office officials on the first of these remits. In column A are suggested counter-proposals on the draft agreement. In column B are comments on these counter-proposals and notes on points where we may anticipate pressure from the United States for further concessions.
2. A copy of the draft agreement is also attached, for ease of reference. (This has also been circulated as Annex A to OD(SA)(82) 16).
3. The "comparisons" paper by Foreign and Commonwealth Office officials already circulated at OD(SA)(82) 18 might be suitable for use in the context of remit (b) above.

Signed ROBERT ARMSTRONG  
R L WADE-GERY  
R L L FACER

Cabinet Office

20 April 1982



DRAFT OF AGREEMENT ON SOUTH ATLANTIC CRISIS  
WORKED OUT IN BUENOS AIRES APRIL 19 1982

COUNTER-PROPOSALS FOR CONSIDERATION

A.

COUNTER-PROPOSALS

The preamble and paragraphs 1 and 2 seem acceptable.

Paragraph 2.1. Delete 'rescind' and substitute 'suspend enforcement of'.

Paragraph 2.2.1 (second sentence)  
Delete and substitute the following:-

'Within the same time period the United Kingdom naval task force will stand off at a distance of at least [       ] nautical miles from any of the co-ordinate points.'

Paragraph 2.2.2.

(a) Re-draft first sentence as follows:-

'Within fifteen days from the date of this Agreement, Argentina and the United Kingdom shall have removed all their forces, equipment and armaments from the zones'.

(b) In the same sentence, delete 'shall redeploy to their usual operating bases or areas' and substitute 'shall revert to normal duties'.

B.

COMMENT

Paragraph 2 is similar in purpose to paragraph 2 of the text provisionally agreed with Mr Haig on 13 April. It would preclude introduction or deployment of UK force into the zones around South Georgia and the South Sandwich Islands after signature of the Agreement.

We take it that 'not conduct operations in the zones' means that Argentina will be precluded from using the forces she has there.

There should, so far as possible, be parity on timing and distance of withdrawal. The requirement for the UK to withdraw all its forces from the zones has therefore been deleted. The principle of parity on distance of withdrawal might suggest an opening bid of 200 nautical miles, although Argentina is likely to have withdrawn some of her forces at least to the mainland, which is approximately 350 miles from the Falklands.

Consequential upon the amendment to paragraph 2.2.1. (provision has to be made for the withdrawal of UK force).

Redeployment to usual operating areas would presumably involve not only the turning back but also the dispersal of the Task Force.



A.Paragraph 3 seems acceptableParagraph 4

Delete 'from the date of this agreement, steps' and substitute 'on completion of the steps specified in paragraphs 2, 2.1, 2.2, 2.2.1 and 2.2.2 above, the two Governments shall take measures to terminate' .....

Second sentence. Delete 'without delay' and insert 'at the same time' after 'shall'.

Paragraph 5

Add 'Each representative may be supported by a staff of not more than [10] persons'.

Paragraph 6(A) <sup>2m</sup>

Delete third sentence and substitute: <sup>for 2m</sup>  
 'The traditional local administration shall be re-established, including the Executive and Legislative Councils, which shall be enlarged to include, on the nomination of the Special Interim Authority, representatives of the Argentine population whose period of residence on the Islands is equal to that of others entitled to representation, such representatives to be in proportion to that population, subject to there being at least one such representative in each Council'.

Paragraph 6(A)

Delete fourth sentence

B.

It is highly desirable that the removal of sanctions should follow completion of withdrawal and not precede it. As a fall-back we might be able to accept 'Before completion .....' given that the obligation is only to take measures to terminate sanctions 'simultaneously, and without delay'.

In the final analysis, we could accept the existing text.

It is highly desirable to set a staff limitation in the agreement itself, if only to avoid a major dispute on this subject in negotiating the separate protocol creating the Authority.

This is a reversion to the 13 April text subject to the inclusion of the phrase 'on the nomination of the Special Interim Authority'. We would not want the nominations to be made by the Government of Argentine and it would seem absurd to have an election. It should be noted that the latest Haig text refers to the continuance of traditional local administration 'through the executive and legislative councils'. This could be taken to imply the non-return of British administrators (not just the Governor).

We could if necessary consider substituting 'the local police shall be re-established and shall be subject to the supervision of the Special Interim Authority, which is authorised to make proposals to the two Governments for its enlargement to include a representative of the resident Argentine population'.



A.Paragraph 7(A)

Delete and substitute:-

'Pending a definitive settlement, the Special Interim Authority shall make proposals to the two Governments to facilitate and promote travel, transportation, communications (including the movement of persons) and trade between the mainland and the Islands. Such proposals shall simultaneously be transmitted to the Executive and Legislative Councils. The two Governments undertake to respond promptly to such proposals. The Special Interim Authority shall monitor the implementation of all such proposals agreed by the two Governments'.

*consultation**for their views*Paragraph 7(B)

Delete 'property'.

*on an equal basis  
teaching, property*Paragraph 8(A)

Delete and substitute:-

'December 31, 1982, will conclude the interim period during which the signatories shall conclude negotiations on mutually agreed conditions for the definitive status of each of the three groups of Islands in accordance with the purposes and principles of the Charter of the United Nations and bearing in mind relevant General Assembly Resolutions. The negotiations shall begin within fifteen days of the signature of the present Agreement.'

B.

This is an essential counter-proposal. We could if necessary offer to discuss the subjects of residence ownership and disposition of property in the negotiations for a definitive settlement.

We must insist that possible arrangements for compensation of Islanders who do not wish to remain is a matter for us.

Our proposed text here is basically a reversion to the first Haig text, but with some modifications. The first Haig text permitted recommendations to be made to the two Governments 'or to the Executive and Legislative Councils'. Under the text now suggested, proposals would be made to the two Governments but transmitted simultaneously to the Executive and Legislative Councils. The reference to 'movement of persons' has been included because movement of persons is covered by the 1971 communications agreement. The last two sentences, taken from the second Haig text, seem fundamentally unobjectionable.

As noted on the comment on 7(A) above, we could if necessary offer to discuss this subject in the definitive negotiations.

This paragraph is fundamentally flawed, in that, when read in conjunction with the remainder of the text, it seems to envisage integration with Argentina as the only final solution for the Falklands. There is a basic difficulty in constructing an alternative formula which might just, in the final analysis, be acceptable to Argentina. Any specific reference to the 'wishes' of the Islanders would encounter Argentinian insistence that it be balanced by a reference to the principle of territorial integrity. The phrase 'bearing in mind relevant General Assembly Resolutions' would probably be the absolute minimum that Argentina would be prepared to accept by way of reference to UN activity; but that phrase would, in our view, include more favourable Resolutions, such as 2625 (XXV) as well as the less favourable ones.



DRAFT OF AGREEMENT ON SOUTH ATLANTIC CRISIS WORKED  
OUT IN BUENOS AIRES APRIL 19 1982

---

On the basis of United National Security Council Resolution 502, and the will of the Argentine Republic and of the United Kingdom to resolve the controversy which has arisen between them renouncing the use of force, both Governments agree on the following steps, which form an integrated whole:

1. Effective on the signature of this agreement by both Governments, there shall be an immediate cessation of hostilities.

2. Beginning at 0000 hours of the day after the day on which this agreement is signed, the Republic of Argentina and the United Kingdom shall not introduce nor deploy forces into the zones (hereinafter, 'zones') defined by circles of 150 nautical miles radius from the following coordinate points (hereinafter, 'coordinate points'):

- A) Lat. 51 deg 40' S  
Long. 59 deg 30' W
- B) Lat. 54 deg 20' S  
Long. 36 deg 40' W
- C) Lat. 57 deg 40' S  
Long. 26 deg 30' W

2.1 Within 24 hours of the date of this agreement the United Kingdom will <sup>suspend enforcement of</sup> rescind its zone of exclusion and Argentina will not conduct operations in the zones.

2.2 Within 24 hours of the date of this agreement Argentina and the United Kingdom will commence the withdrawal of their forces in accordance with the following details.

2.2.1 Within seven days from the date of this agreement, Argentina shall have withdrawn one half of its military and security forces present in the zones on the date of this agreement, including related equipment and armaments.

Within the same time period, the United Kingdom will have completed the withdrawal of all of its forces from the zones and the United Kingdom naval task force will stand off at a distance of at least 1750 nautical miles from any of the coordinate points.



*q/m*

2.2.2 Within 15 days from the date of this agreement, Argentina shall remove all of its remaining forces, equipment and armaments from the zones. Within the same time period, units of the UK naval task force and submarines shall redeploy to their usual operating bases or areas.

*Redepl. revert to normal duties*

3. After fifteen days after the date of this agreement and pending a definitive settlement, no military or security forces shall be introduced by the signatories into any of the zones defined by circles of 150 nautical miles radius from the coordinate points.

*On completion etc*  
4. From the date of this agreement, steps shall be taken by the two Governments to terminate simultaneously, and without delay, the economic and financial measures adopted in connection with the current controversy, including restrictions relating to travel, transportation, communications, and transfers of funds between the two countries. The United Kingdom without delay shall request the European Community and third countries that have adopted similar measures to terminate them.

5. The United Kingdom and Argentina shall each appoint, and the United States has indicated its agreement to appoint a representative to constitute a special interim authority which shall provide observers to verify compliance with the obligations in this agreement.

6. A) Pending a definitive settlement, all decisions, laws and regulations hereafter adopted by the local administration on the islands shall be submitted to and expeditiously ratified by the special interim authority, except in the event that the special interim authority deems such decisions, laws or regulations to be inconsistent with the purposes and provisions of this agreement or its implementation. The traditional local administration shall continue through the executive and legislative Councils which shall

/be



be enlarged in the following manner: the Argentine Government shall appoint two representatives, who shall serve in each Council; the Argentine population whose period of residence on the islands is equal to that required of others entitled to representation shall elect representatives to each Council in proportion to their population, subject to there being at least one such representative in each Council. | The local police shall be continued under the administration of the Councils, with a representation of the resident Argentine population, and shall be subject to the supervision of the special interim authority. | The flags of each of the constituent members of the special interim authority shall be flown at its headquarters.

B) Pending a definitive settlement, neither Government shall take any action that would be inconsistent with the purposes and provisions of this agreement or its implementation.

7. A) Pending a definitive settlement, travel, transportation movement of persons and as may be related thereto, residence and ownership and disposition of property, communications and commerce between the mainland and the islands shall, on an equal basis, be promoted and facilitated. The special interim authority shall propose for adoption appropriate measures on such matters, including possible arrangements for compensation of islanders who do not wish to remain. The two signatories undertake to respond promptly to such proposals. The special interim authority shall monitor the implementation of all such proposals adopted.

B) Pending a definitive settlement, the rights and guarantees which have heretofore been enjoyed by the inhabitants on the islands will be respected, on an equal basis, in particular rights relating to freedom of opinion, religion, expression, teaching, movement, property, employment, family, customs, and cultural ties with countries of origin.

/8. A)



8. A) December 31, 1982, will conclude the interim period during which the signatories shall conclude negotiations on modalities for the removal of the islands from the list of non-self governing territories under Chapter XI of the United National Charter and on mutually agreed conditions for their definitive status, including due regard for the rights of the inhabitants and for the principle of territorial integrity applicable to this dispute, in accordance with the purposes and principles of the charter of the United Nations and Resolution 1514 (XV) and 2065 (XX) and in the light of relevant Resolutions of the General Assembly of the United Nations on the 'Question of the Falkland (Malvinas) Islands'. The negotiations hereabove referred to shall begin within fifteen days of the signature of the present agreement.

B) The United States Government has indicated that, at the request of the two Governments, it would be prepared to assist them in bringing their negotiations to a mutually satisfactory settlement by the date stipulated in subparagraph (A).



17

Ref: B06472

MR COLESFalklands: Cabinet

As agreed at OD(SA) last night, I submit for the Prime Minister's use at Cabinet this afternoon a draft speaking note on the latest proposals put forward by Mr Haig.

20 April 1982

R L WADE-GERY

c Sir Robert Armstrong



Speaking Note

As colleagues will have seen from the press, the draft Anglo-Argentine agreement worked out between Al Haig and the Argentines in Buenos Aires was received in London at 9 pm last night and OD's South Atlantic Sub-Committee met at 10 pm. We agreed on down-beat press guidance indicating that the proposals were complex and difficult; that they did not appear to meet Parliament's strongly-expressed requirements, particularly on the wishes of the Islanders being paramount; but that we were studying them and remaining in touch with Haig.

2. Haig's covering message to the Foreign and Commonwealth Secretary indicated that he was on his way to Washington unless we wished him to divert to London. He expressed disappointment with the text and doubt whether more could be wrung out of the Argentines. But by talking of the end of "this phase of my effort" he seemed not to rule out further rounds. At the same time he sought to suggest, incorrectly, that Britain's essential interests had been safeguarded and that there was nothing in the agreement to force us to accept a long-term settlement we didn't want. We therefore approved a reply to him last night which agreed he should go to Washington; echoed his disappointment; indicated our press line; and underlined the inadequacy of the proposals in the three key areas of the withdrawal, the interim administration and the long-term settlement.

3. Much of what is now proposed follows the outline we provisionally agreed with Haig when he was here last week, on which I reported to Cabinet on 14 April. But what is new, though skilfully drafted, fatally undermines each of the key areas.

4. The withdrawal arrangements are unbalanced. The Argentines are to pull out of the Islands within two weeks. But though they are the aggressors, it is we who have to withdraw further and faster.





5. The arrangements for the interim administration are unsatisfactory on three counts. First, the Argentines would have three newly created seats on each of the two Island Councils (pre-crisis the Legislative Council had eight members and the Executive Council six, plus the Governor in each case). Second, the local police would include local Argentine "representation" and be supervised by the three-power Special Interim Authority. Third, it is not clear how far we could in fact block proposals for increased Argentine immigration and acquisition of property (which would be "promoted and facilitated" though implicitly subject to governmental agreement).

6. But the really key deficiency lies in the text's failure to safeguard the wishes of the Islanders in relation to the longer-term settlement of the basic sovereignty problem. Negotiations on this would begin at once and be due to be complete, if necessary with American help, by the end of the year. They are to ensure that the Islands cease to be a non-self-governing territory (ie the status quo ante is ruled out in advance); and to have "due regard for the rights" (not wishes or even interests) of the inhabitants and for "the principle of territorial integrity applicable to this dispute" (ie the Argentine claim that the Islands are part of Argentina). In other words, the Islanders are to be sold out.

7. We cannot accept these proposals as they stand. They will need radical change, particularly on the last of these points. We should be unwise to reject them utterly, which would leave us little alternative to a war in which we should be severely handicapped by logistic problems and by the probable erosion both of national unity and of our international support. But we shall only achieve the vital changes we need if we keep up maximum diplomatic, economic and military pressure on Argentina. We are determined to do so.

20 April 1982





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HL

*Argentina*

SIR ROBERT ARMSTRONG

Soviet Nuclear Supplies to Argentina

The Prime Minister has noted the contents of Mr. O'Neill's minute of 16 April.

JOHN COLES

*S*

19 April 1982

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13

PRIME MINISTER

c. Sir Robert Amis Kong.

FALKLANDS: OD(SA) MEETING, 19 APRIL

Business at your meeting at 1115 tomorrow could conveniently be taken in the following order:

- (i) Diplomatic situation
- (ii) Military situation
- (iii) Any other business.

So far as is known tonight, decisions will only be needed under (ii). But they will be conditioned by (i).

2. Diplomatic situation. The Foreign Secretary, should report. The main points are clearly

- how are Mr. Haig's talks going?
- when is he likely to come to London?
- UN possibilities (Mr Fall's letter to Mr Coles of 18 April).

3. Military situation. The Defence Secretary should report. There are three areas for immediate decision:

15N  
Lan

(a) Vulcans. Should they be authorised to start conventional bombing practice in Scotland? This was taken as read by the Sub-Committee at their last meeting (OD(SA)(82)8th meeting, Friday 16 April). But the decision will not be irreversible until after tomorrow's meeting. Today's publicity, centering on Mr. Churchill's article, has not revealed the Scotland plan; but if implemented it would immediately become public. The Foreign Secretary may want to reopen this, since it will immediately provoke speculation of what real targets we are thinking of bombing (e.g. the Argentine mainland, or Stanley airfield).

(b) Rules of Engagement. The Defence Secretary's minute to you of 17 April (MO5/21) makes three proposals for immediate implementation:

/ - Our submarines

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- 2 -

- Our submarines in the Falklands MEZ should be allowed to attack warships and naval auxiliaries; only warships were authorised at your meeting last night (Mr Coles' minute to Mr Omand of 17 April). Mr. Nott may not wish to press this point. There is at least one naval auxiliary inside the MEZ, which when last heard of was in a Falklands port but has emerged once and could do so again.
- We should immediately announce that we will deal appropriately with any Argentine forces which attempt to interfere with our forces anywhere in the South Atlantic. This would add nothing of substance but could have declaratory value.
- We should authorise for all our forces outside the MEZ the "stage A" (high seas) Rules of Engagement which the Sub-Committee approved on 16 April for our fast group heading for South Georgia (OD(SA)(82)13, Annex A). This is likely to be agreed without difficulty.

The Sub-Committee will need to take a view on each of these proposals.

(c) The South George operation. The only decisions essential tomorrow are:

- Should the fast group cross into the Argentine "Defence Zone" of 200 nautical miles round South Georgia (which they will do on 20 April unless instructed otherwise)?
- If so, is it confirmed that they should then operate under the "stage B" Rules of Engagement conditionally approved by the Sub-Committee on 16 April (OD(SA)(82)13, Annex B)? The Chief of the Defence Staff would probably be content for them to continue to operate only "stage A" Rules, if Ministers so wished.

/ 4. There are

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- 3 -

4. There are other South Georgia decisions coming up soon, but they do not need taking tomorrow. E.G.:

- May the group actually seize South Georgia (under "stage C" Rules of Engagement)? The Foreign Secretary may argue ~~that~~ this would endanger Mr. Haig's negotiations. A decision will be needed on 20 April.

- If seizure is to be delayed (eg while Mr. Haig remains in orbit), may they begin covert reconnaissance of South George? The Chief of Defence Staff would favour this, on both operational and morale grounds.

- If seizure is to be delayed while Mr. Haig is negotiating, should it also be delayed during any subsequent United Nations phase? The Foreign Secretary may regard that as less necessary.

5. Other business. You will need to agree to meet on 20 April.

R.L.G.

R.L. WADE-GERY  
CABINET OFFICE

18 April 1982

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*Mr. McLaurek notified  
0710 L.*

E.O. 12065: RDS-3 (4/17/12 -HAIG, ALEXANDER)  
 TAGS: OVIP (HAIG, ALEXANDER)  
 SUBJECT: FALKLAND ISLANDS CRISES

1. SECRET -ENTIRE TEXT.

2. PLEASE PASS THE FOLLOWING MESSAGE FROM THE SECRETARY TO THE FOREIGN SECRETARY. BEGIN TEXT:

DEAR FRANCIS:

PLEASE ON THE UNACCEPTABLE LANGUAGE WHICH I RECEIVED, AND SENT TO YOU LAST NIGHT (FRIDAY), I THREATENED TO BREAK OFF THIS PROCESS. AS A RESULT, I WAS INVITED TO MEET WITH THE JUNTA, AND SPENT TWO HOURS WITH THEM THIS MORNING (SATURDAY). THE CHARACTER OF THE GROUP IS ESSENTIALLY AS I IMAGINED: GALTIERI IS THE LEAST BRIGHT AND GIVEN TO BLUSTER; THE ADMIRAL IS <sup>OUTRA</sup> HARD-LINE; THE AIR FORCE GENERAL IS BRIGHT, POLITICAL REASONABLE--RELATIVELY SPEAKING--BUT CLEARLY THIRD IN INFLUENCE.

3. I IMPRESSED ON THESE MEN IN THE STRONGEST TERMS THAT BRITISH RESOLVE WAS BEYOND DOUBT, AND THAT THEY WERE ON A COLLISION COURSE WITH MILITARY HUMILIATION AND ECONOMIC RUIN. WITH THE POSSIBLE EXCEPTION OF THE ADMIRAL

--WHOSE DEFINITION OF GLORY HAS LITTLE TO DO WITH THE CONCEPT OF MILITARY SUCCESS--

--I WOULD SAY THESE MEN ARE WORRIED. THEY ARE FEELING THE PRESSURE OF YOUR FLEET, THOUGH IT WOULD BE A SERIOUS MISTAKE FOR YOU TO ASSUME THEY ARE NOT PREPARED TO FIGHT.

4. THE JUNTA URGED ME TO STAY AND TRY TO "SOLVE THE PROBLEM" WITH THE FOREIGN MINISTER. IN HOPES THAT THEY WOULD IMPART FLEXIBILITY TO THEIR NEGOTIATORS I AGREED TO DO SO. THE TEN-HOUR SESSION THAT ENDED WAS EXCRUCIATINGLY DIFFICULT. WE SPENT MOST OF THAT TIME ON THE LANGUAGE DEALING WITH THE TERMS OF REFERENCE FOR THE NEGOTIATIONS ON THE DEFINITIVE STATUS OF THE ISLANDS. YOUR LANGUAGE WAS REJECTED OUT OF HAND. I PRESSED UPON THEM LANGUAGE THAT AVOIDS REJUDGING THE SOVEREIGNTY ISSUE WHILE PRESERVING WHAT YOU MUST HAVE WITH REGARD TO THE RIGHTS OF THE ISLANDERS. THE

SECRET/NODIS

USDEL FA 6834



ARGENTINES ARE NOW DEVELOPING A NEW FORMULATION BUT I EXPECT IT WILL BE PREGNANT WITH THE CONCEPT OF ASSURED ARGENTINE SOVEREIGNTY.

5. THE ISSUE OF TRAVEL, TRADE, ETC., IN THE INTERIM PERIOD WAS ALSO HOTLY CONTESTED. THERE WILL BE NO AGREEMENT UNLESS IT INVOLVES A CLEAR PROSPECT OF GENUINE PROMOTION OF VARIOUS FORMS OF INTER ACTION, WITH THE NECESSARY SAFEGUARDS TO PREVENT WHAT THE PRIME MINISTER FEARS COULD OCCUR.

6. WE ARE ALSO ENCOUNTERING DIFFICULTY ON THE QUESTION OF INTERIM ADMINISTRATION, THOUGH THE INTEGRITY OF THE IDEA WE DISCUSSED IN LONDON HAS BEEN MAINTAINED.

7. FINALLY, THOUGH WE DID NOT DISCUSS IT AT LENGTH, THERE WAS A DEFINITE FORESHADOWING OF SERIOUS PROBLEMS ON THE QUESTION OF MILITARY DISENGAGEMENT -- I.E. STOPPING THE FLEET AND REMOVING THE SUB-MARINES. I THINK THIS MATTER CAN BE SETTLED IN TERMS ACCEPTABLE TO THE UK, THOUGH NOT WITHOUT MORE FLEXIBILITY THAN I ENCOUNTERED IN LONDON. ALL IN ALL, AS OF NOW THE SITUATION IS GRIM. I WILL RECEIVE A NEW ARGENTINE TEXT DURING THE NIGHT AND THEN DECIDE WHETHER OR NOT TO BREAK OFF.

8. I WILL ONLY CONSIDER COMING TO LONDON IF THE ARGENTINES GIVE ME A TEXT THAT GOES WELL BEYOND THEIR POSITION TODAY. I DO NOT WANT TO SHIFT THE SPOTLIGHT ONTO YOU IF IT IS CLEAR THAT THE ARGENTINE PROPOSAL IS UNACCEPTABLE. EVEN IF I DO NOT COME TO LONDON, I WILL OF COURSE SEND YOU THE ARGENTINE TEXT.

9. IF I SUSPEND MY MISSION TOMORROW MORNING I WILL LEAVE NO DOUBT WHERE LIES RESPONSIBILITY FOR THE IMPASSE.

WARM REGARDS,

AL

END TEXT.

HAIG

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12A

MO 5/21

discussed in OD (SA)  
today.

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k.a.

PRIME MINISTEROPERATION CORPORATE

At the end of last week I asked my officials to do some further contingency planning, consulting the FCO Legal Adviser, against the possibility that the Haig mission to Buenos Aires might fail. In my view we need to be ready to move fast in such a case and based on our discussion the other day I think you would wish to call another meeting very urgently in those circumstances.

2. I agree with the views of my officials as set out in the enclosed minute that we must put ourselves in the best possible position before British Forces engage Argentine Forces either in one of the zones announced (but not formerly promulgated) by the Argentine Government or on the high seas.
3. In the circumstances I have described I believe we should:
  - a. Instruct our submarines at once to revert to Rule of Engagement 4 within the 200 mile MEZ: "All vessels positively identified as Argentine warships, submarines and naval auxiliaries may be attacked".
  - b. Issue an immediate announcement making clear that any attempt on the part of Argentine warships, including submarines, naval auxiliaries or military aircraft to interfere with the mission of British Forces in the South Atlantic will encounter the appropriate response.
  - c. That the warning in b. above should be backed up by





amending the Rules of Engagement for our Forces operating outside the 200m MEZ.

4. I am copying this minute to the Home Secretary, Foreign and Commonwealth Secretary and to Sir Robert Armstrong.

*Doj*  
*(Private Secretary*  
*(Approved by the*  
*Defence Secretary*  
*and initialed*  
*in his absence)*

Ministry of Defence  
17th April 1982

PS/Secretary of State

Copy to:  
PSO/CDS  
PS/PUS  
Sec/CNS  
AUS D Staff

5/21

FALKLAND ISLANDS

1. We have consulted the FCO Legal Adviser about whether some further Notice to Mariners or Public Announcement is necessary before British Forces engage Argentine Forces either in one of the zones announced (but not formally promulgated) by the Argentine Government or on the High Seas.

2. S of S will recall that the final sentence of the Notice which announced the establishment of a Maritime Exclusion Zone around the Falkland Islands reserved HMG's right to take further action in exercising its right of self defence under Article 51 of the United Nations Charter. Sir Ian Sinclair has advised us that our rights under the Charter, and the notice we have given of our intention to exercise those rights, provide sufficient legal cover for the contingencies which S of S was concerned about. The Argentines have already committed aggression against British Territory and British people. The aim of the Naval Task Group is to counter that aggression which our inherent right of self defence enshrined under Article 51 entitles us to do. Argentine Forces encountered en route could be presumed to be operating in support of the illegal invasion of the Falklands, and in opposition to our efforts to combat that invasion. Our Force would, therefore, be entitled to deal with them as the situation required. This would be the case on the High Seas, in one of the Argentine zones, or, of course, within our own MEZ around the Falklands.

3. It is a separate question whether any further announcement of our intentions would be desirable either in an attempt to dissuade the Argentine Navy from approaching our Forces, or to put ourselves in a better position politically to defend post hoc any action we may take if they did so. So far as I know CDS has not taken a view about the possible deterrent value of an announcement, but it seemed to AUS D Staff and I that the argument cut both ways. On the one hand an announcement might deter, on the other it might be perceived as a challenge which national pride, required should be taken up. The Naval Staff have made the point that some form of announcement would help to underline HMG's resolve, and would be a fillip to the morale of those serving with the Task Group. All other things being equal the Naval Staff would prefer an announcement to be made, and to be made some time in advance of when British and Argentine Forces are likely to meet.



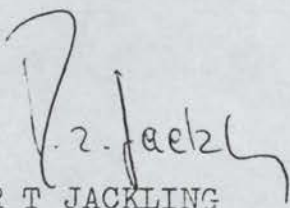
4. As to the possibility that an announcement would put us in a better position politically in the aftermath of any engagement between British and Argentine Forces, S of S will have his own views. On balance, we believe that it would. We have, therefore, prepared the attached draft of an announcement which we have cleared with Sir Ian Sinclair.

5. As to the timing of such an announcement the FCO have argued strongly that it should not be made while the Haig negotiations are in a delicate and decisive phase. FCO officials are content with the terms of the announcement, but have suggested that it should be held on the stocks while the Haig negotiations unfold over the next day or so, and until Ministers take decisions on rules of engagement for our Forces entering the South Atlantic, which would give them discretion to engage Argentine Forces in the way the draft announcement anticipates.

6. If S of S is content with the terms of the attached announcement, and that it should not be released pro tem, he may nevertheless wish to circulate it to his colleagues in the next day or so for their comments.

7. I should be very ready to prepare the draft of a minute with which he might do so.

17 Apr 82

  
R T JACKLING  
Head of DS11  
MB 9326 3287 MB

ANNOUNCEMENT

In announcing the establishment of a Maritime Exclusion Zone around the Falkland Islands, HMG made it clear that this measure /out was with/prejudice to the right of the UK to take whatever additional measures may be needed in the exercise of its right of self defence under Article 51 of the United Nations Charter. In this connection, HMG now wishes to make clear that any attempt on the part of the Argentine war ships, including submarines, naval auxiliaries or military aircraft to interfere with the mission of British Forces in the South Atlantic will encounter the appropriate response.

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LETTERCODE/SERIES ..... <i>PREM 19</i> .....	Date and sign
PIECE/ITEM ..... <i>644</i> ..... (one piece/item number)	
Extract/Item details:  <i>MODUK INTSUM No. 25 dated 16 April 1982 (folio 11A)</i>	
CLOSED FOR ..... YEARS UNDER FOI EXEMPTION	
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Ref: B06469

PRIME MINISTER

c Sir Robert Armstrong

Falklands: Possible Emergency Bill

Ad hoc Meeting at 2.30 pm on Monday 19th April

BACKGROUND

At OD(SA) on 15th April you agreed to hold an ad hoc meeting to consider whether early enactment (or Ministerial approval) of an Emergency Bill was likely to be necessary. The latest version of a possible Bill, as drafted by officials, has been circulated as a Cabinet paper (C(82) 13). The question was briefly raised by the Foreign and Commonwealth Secretary and the Secretary of State for Trade under Parliamentary Affairs at Cabinet on 14th April (CC(82) 17th Conclusions, Minute 1, Conclusion 2), when the Home Secretary indicated that though not himself enthusiastic about a Bill he was willing to steer one through the House if his colleagues so wished. He has now set out his views in some detail in his minute to you of 16th April.

2. The following have been invited to attend: Home Secretary, the Foreign and Commonwealth Secretary, the Defence Secretary, the Chancellor of the Exchequer, the Secretary of State for Trade, the Secretary of State for Scotland, the Lord President, the Lord Privy Seal, the Attorney General and the Paymaster General.
3. As drafted the Bill would provide a framework under which Regulations could be made if and when necessary, subject to subsequent affirmative resolution in Parliament within 7 days in each case. The possible scope of such Regulations is set out in the explanatory memorandum under Clause 1.
4. There are two issues for decision: is the proposed draft acceptable in principle? and in what circumstances should it be published and enacted? The Home Secretary does not quarrel with the draft, though he makes clear that there is no Home Office need for a Bill at all. The enthusiasts,





at official level, are the Foreign and Commonwealth Office, Ministry of Defence, Department of Trade and Treasury. On timing, the Home Secretary argues against making any move before hostilities begin, on the reasonable grounds that negotiations (which should not be jeopardised) are likely to continue until that point; but he is ready to contemplate rapid enactment thereafter, on the basis that actual Regulations would only be made when needed. Other Departments, at official level, have argued that to wait until hostilities begin (or until Argentina declares war) might leave an awkward gap of a day or so until enactment was complete; during this gap, the Government might be criticised both for being unable to take certain steps which might seem urgent (eg to regularise the position of civilian crews of vessels like Canberra) and also for being forced (by the Trading with the Enemy Act) to take certain others which might seem too draconian. It should be noted that the Trading with the Enemy Act would only be automatically triggered by a declaration of war, not by hostilities in the absence of a declaration.

## HANDLING

5. The Home Secretary should open. You should then seek the views of Departmental Ministers:- notably the Foreign and Commonwealth Secretary, Defence Secretary, Secretary of State for Trade and Chancellor of the Exchequer - on the two issues (which should be taken successively rather together) -

- (a) Is this the right Bill, if we have one at all?
- (b) When, if ever, should it be enacted?

6. On (b), you will also need

- the views of the Foreign and Commonwealth Secretary on how long negotiations, which could be undesirably prejudiced by enactment of a Bill, are likely to continue;
- the views of the Attorney General on the practical difference between an outbreak of hostilities and a declaration of war;
- the views of the Business Managers on what Parliament will expect and accept.



## CONCLUSION


7. You may be able to sum up as follows -

(a) The contents of the draft Bill look about right. But the Home Secretary should invite all members of the Cabinet to let him have any considered comments on the point within, say, one week.

(b) The Bill should not be published (much less enacted) without a further Ministerial decision, which is unlikely to be taken unless

- Argentina declares war; or
- extensive hostilities break out; or
- any Minister wishes to reopen the matter in the light of new developments.

16th April 1982

  
R L WADE-GERY





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LETTERCODE/SERIES ..... <i>PREM 19</i> .....	Date and sign
PIECE/ITEM ..... <i>644</i> ..... (one piece/item number)	
Extract/Item details:  <i>Minute from Coles to Wright dated 16 April 1982</i>	
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UK EYES A

Mufaxed to Chequers  
at 1000, 17/4

9A



MINISTRY OF DEFENCE  
MAIN BUILDING WHITEHALL LONDON SW1  
Telephone 01-~~930 7022~~ 218 2111/3

MO 5/21

16th April 1982

Dear John,

Discussed in OD (SA)

today.

A.J.C. 16/4.

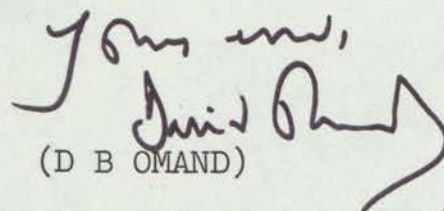
OPERATION CORPORATE: RULES OF ENGAGEMENT

OD(SA) agreed this morning Rules of Engagement for Operation PARAQUET as set out in OD(SA)(82)13. The next part of our Naval forces requiring Rules of Engagement are the leading elements of the Carrier Battle Group. These are 5 frigates and destroyers led by HMS BRILLIANT. As was explained at yesterday's briefing by the Chiefs of Staff in the MOD they are making best speed at present so that, if in order to assist the negotiating process the force is halted, they will be as far south as possible.

For operational reasons they will not attempt to approach the 200 mile MEZ around the Falkland Islands until the slower Carriers join them. On present plans the leading elements will reach the vicinity of 35° West 35° South - which is about 1000 miles from the northern-most part of Argentine Coast - by 5 p.m GMT Monday 19th April. They will then, (just) be within the range of reconnaissance flights from the Argentine mainland. At this point the Defence Secretary believes that they should adopt Rules of Engagement for the high seas exactly the same as those already agreed and in force for the Operation PARAQUET force when it is outside a 200 mile radius of South Georgia, as the risk from Argentine Forces will be similar although of course low.

The Defence Secretary would be grateful for agreement, by lunchtime on Monday, to authorise the issue of these high seas Rules of Engagement, for the leading elements of the Carrier Battle Group (as set out in Annex A to OD(SA)(82)13). The Defence Secretary suggests that if necessary the matter could be discussed at the meeting of OD(SA) which has been arranged for 1130 on Monday morning. He also suggests that these low level high seas Rules of Engagement could be agreed in principle for all Naval Forces on arriving in the South Atlantic to avoid returning on each occasion to OD(SA) for specific authority.

I am copying this letter to John Halliday (Home Office), Brian Fall (FCO), Keith Long (Office of the Chancellor of the Duchy of Lancaster), David Wright (Cabinet Office) and to Sir Antony Acland and Sir Michael Palliser (FCO).

Yours sincerely,  
  
(D B OMAND)

A J Coles Esq

SECRET  
UK EYES A





The National Archives

LETTERCODE/SERIES ..... <i>PREM 19</i> .....	Date and sign
PIECE/ITEM ..... <i>644</i> ..... (one piece/item number)	
Extract/Item details:  <i>Letter from Omand to Coles dated 16 April 1982</i>	
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PIECE/ITEM ..... (one piece/item number) 644	
Extract/Item details:  Minute from CDS to Secretary of State for Defence dated 16 April 1982	
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PIECE/ITEM ..... (one piece/item number) 644	
Extract/Item details:  Minute from O'Neill to Armstrong dated 16 April 1982	
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7A Mufaxed to Chequers  
at 1000, 17/4



MO 5/21

MINISTRY OF DEFENCE  
MAIN BUILDING WHITEHALL LONDON SW1  
Telephone 01-~~9207022~~ 218 2111/3

16th April 1982

Dear John,

M.A.  
M 25.  
4

CRITICAL DATES

You asked us to set down on paper some of the critical dates which emerged from the briefing given by the Chiefs of Staff in MOD yesterday morning. These are set out in the attached chart.

I should make the obvious point that these dates are subject to a measure of uncertainty due to factors such as weather. Looking further ahead than the chart, in terms of fuel, food and stores the Task Force is self-sufficient in the South Atlantic until the last half of May. This estimate of course would be reduced in the event of casualties and plans are being drawn up from the resupply of the force to sustain it for at least a six month period, (necessitating taking up further ships from trade).

I am copying this letter to Brian Fall (FCO) and David Wright (Cabinet Office) with a request that they ensure that the attachment to the letter is kept securely under lock and key.

Yours ever,

(D B OMAND)

A J Coles Esq

TOP SECRET  
UK EYES A



TOP SECRET

	SOUTH GEORGIA GROUP	CARRIER BATTLE GROUP	ADVANCE GROUP	AMPHIBIOUS FORCE
	ANTRIM PLYMOUTH ENDURANCE	HERMES INVINCIBLE	BRILLIANT + 5 ships	FEARLESS CANBERRA + LSLs
ARRIVE ASCENSION		Friday 16 APR AM		Saturday 17 APR (FEARLESS) Monday 19 APR (REMAINDER)
LEAVE ASCENSION		Sunday 18 APR AM		? Friday 23 APR AM
ARRIVE AT 35° SOUTH	Friday 16 APR	Saturday 24 APR AM	Monday 19 APR PM	? Friday 30 APR PM
ARRIVE AT 200 MILE DISTANCE	Tuesday 20 APR LATE PM	Tuesday 27 APR AM		? Tuesday 4 MAY AM
ARRIVE AT LANDING POINT	Wednesday 21 APR PM	Establish Sea Control and Air Superiority in MEZ from Wednesday 28 APR		? From Friday 7 MAY

TOP SECRET



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LETTERCODE/SERIES ..... <i>PREM 19</i> .....	Date and sign
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Extract/Item details:  <i>FCO telegram 151645Z April 82 to Washington</i>	
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Extract/Item details:  <i>Letter from Coles to Fall dated 15 April 1982</i>	
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Ref: B06468

1. SIR ROBERT ARMSTRONG *RA*
2. MR COLES ✓
- cc Mr Hilary  
Mr Colvin  
Mr McLean

*Caroline*  
pl. arrange the meeting as  
suggested.

*John*  
all set up for  
14.30. *ej.* 16/4

Falklands: Possible Emergency Bill

At OD(SA) this morning the Prime Minister agreed to hold an ad hoc meeting early next week to consider the question of whether early passage of an Emergency Bill was likely to be necessary. The general mood of the Sub-Committee was hostile; but it was recognised that several of the Ministers concerned were not present.

2. Mr Wright has now agreed with No 10 that this ad hoc meeting should be at 2.30 pm on Monday 19th April. The papers for it are the reference under Parliamentary Affairs at the Cabinet's meeting on 14th April (CC(82) 17th Conclusions, Minute 1, Conclusion 2); and the draft Bill which has now been circulated to all members of the Cabinet (C(82) 12, which may by Monday have been replaced by a revised version). Subject to your views I suggest that No 10 should invite the following to this meeting. Home Secretary (who would be in charge of any Bill); the four Ministers whose Departments at official level regard early passage of a Bill as desirable, viz Foreign and Commonwealth Secretary, Defence Secretary, Chancellor of the Exchequer and Secretary of State for Trade; the Lord President, Chief Whip and Lord Privy Seal as Business Managers; ~~and~~ the Attorney General; and Sir Robert Armstrong and myself. The Paymaster General should perhaps also be invited, as a member of OD(SA).

15th April 1982

*R Wade-Gery*  
R L WADE-GERY

*I agree.*

*The Home Secretary intends to circulate a note which will deal with the contents as well as with the timing of the Bill.*

*RA 16. iv. 82*



Private Secretary

AD  $\frac{16}{4}$

Mr. Coles (No 10)

We spoke. You will bear in mind that this is only for internal briefing.

JH

15.4.82



The National Archives

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PIECE/ITEM ..... <i>644</i> ..... (one piece/item number)	
Extract/Item details:  <i>Briefing for meeting at 11.00, 15 April 1982</i>	
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2

10 DOWNING STREET

*From the Private Secretary*

SIR ROBERT ARMSTRONG  
CABINET OFFICE

---

Would you please refer to the assessment on the Falkland Islands prepared by the Latin America Current Intelligence Group at their meeting on 8 April (JIC(82)(IA)16).

The Prime Minister would be grateful for an assessment of the significance of the contract between the Soviet Union and Argentina for the supply of nuclear enrichment services and heavy water. This is mentioned in paragraph 7 of the assessment.

A. J. COLES

14 April 1982

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Ref: B06467



2

PRIME MINISTER

c Sir Robert Armstrong

OD(SA) Meeting: 9.30 am, 15th April

The business this meeting needs to cover could be taken in the following order:-

- (i) Sir Michael Palliser is attending as an invitee. You should tell your colleagues that he has now taken up his temporary post as Special Adviser in the Cabinet Office.
- (ii) Diplomatic Negotiations. The Sub-Committee need to agree on the substance of a message to Mr Haig. This should go from the Foreign and Commonwealth Secretary, unless you want to send it yourself. It should reach him by 16th April ie before the earliest he may leave for Buenos Aires. It should deal with his unacceptable redraft of paragraph 8 of the draft Agreed Memorandum ("decolonisation"); and should suggest one or more alternatives. The redrafts commissioned from the Foreign and Commonwealth Secretary should be available at the meeting if not circulated beforehand\* and he should introduce them. Officials ~~will~~ have studied them today. The Foreign and Commonwealth Secretary should also say whether he recommends any other British moves to alter the draft Memorandum, eg in the light of the mood in Parliament today.
- (iii) Military Decisions. The Defence Secretary should cover the following:-
- (a) Rules of Engagement for the Task Group. When do we need to agree these? Will he circulate a draft? The Chief of the Defence Staff suggested last week that a decision would be needed towards the end of this week. Advance elements of the Task Group (ie the fast group aimed at South Georgia) are already well south of Ascension.





(b) When do we need to authorise (or decide to hold back) the seizure of South Georgia?

(c) Is any decision needed on attacking the Argentine Navy outside the Exclusion Zone (eg as it leaves port; or if it came near South Georgia, which is 600 miles from the Zone)?

(d) Are there any other immediate military problems?  
Eg over the Russians; or over a possible attack on Stanley airfield.

(iv) Emergency Legislation. The Cabinet this morning left open a decision on when this may need to be introduced. The draft Bill is now available (see C(82) 12). You will probably need an ad hoc meeting early next week on this to include other Ministers concerned, eg the Chancellor of the Exchequer, Secretary of State for Trade, and the Business Managers. But OD(SA) should take a preliminary view tomorrow on when the "window" is likely to be between collapse of the Haig negotiations (if they do collapse) and the possible outbreak of hostilities (the view of Departments is that the Bill should be introduced after the former but before the latter). The Foreign and Commonwealth Secretary and the Defence Secretary should advise. The Home Secretary will also have views.

(v) Next Meeting. The Sub-Committee will probably wish to agree to meet again on 16th April, unless it is clear that all outstanding decisions foreseeable can wait until next week.

R L WADE-GERY

14th April 1982



PART 1 ends:-

OD (SA) (82) 6<sup>th</sup> req of 13/4/82.

PART 2 begins:-

OD (SA) (82) 11 of 14/4/82.

